

In the Matter of)
)
Section 63.71 Application of)
Broadview Networks, Inc., for)
Authority Pursuant to Section 214 of the)
Communications Act of 1934, as amended,)
To Discontinue the Provision of Service)

Broadview Networks, Inc. (“Broadview”), applies for authority under Section 214(a) of the Communications Act, as amended (the “Act”), 47 U.S.C. §214, and Section 63.71 of the Federal Communications Commission’s (“Commission”) rules, 47 C.F.R. §63.71, to discontinue the provision of asymmetrical digital subscriber line service (“aDSL”), symmetrical digital subscriber line service (“sDSL”), ISDN-digital subscriber line service (“iDSL”) and high-capacity DS-1 service (“DS1”) (collectively, the “Services”) to a limited number of customers served through certain central offices in Massachusetts, New York, Ohio and Pennsylvania, which central offices are scheduled to be decommissioned by Broadview’s underlying service provider after May 22, 2016.¹

As required by Section 63.71(a) and (b) of the Commission's Rules, Broadview provides the following information:

Broadview Networks, Inc.
800 Westchester Avenue
Suite N-501
Rye Brook, NY 10573

¹ See In the Matter of Section 63.71 Notice of Discontinuance of Certain Broadband Internet Access Transmission Service of GC Pivotal LLC d/b/a Global Capacity, filed March 15, 2016.

Date of Planned Service Discontinuance (47 C.F.R. §§63.71(a)(1), (b)(2)):

Broadview has been advised by GC Pivotal LLC d/b/a Global Capacity (“Global Capacity”) that Global Capacity will be decommissioning a select number of Central Offices (“COs”) and discontinuing all access services to those COs following receipt of approval for such discontinuation of service from the Federal Communications Commission. Global Capacity has further advised Broadview that in connection with this planned decommissioning of COs, Global Capacity will be disconnecting, as of May 22, 2016, the circuits through which Broadview provides the Services in those COs. Accordingly, Broadview must discontinue the provision of the Services to the affected Broadview customers in these COs no later than May 22, 2016, subject to Commission authorization of discontinuance pursuant to 47 C.F.R. §63.71(c).

Brief Description of Type of Service Affected (47 C.F.R. §§63.71(a)(3), (b)(2)):

The services to be discontinued by Broadview are asymmetric digital subscriber line service (“aDSL”), symmetrical digital subscriber line service (“sDSL”), ISDN-digital subscriber line service (“iDSL”) and integrated services for DS-1 service (“DS1”) (the “Services”) presently being provided to a total of 13 Broadview commercial customers in the COs identified by Broadview’s underlying service provider as locations which will be decommissioned as of May 22, 2016.² Those COs are as follows: Belmont, MA; Brooklyn, NY; Freeport, NY; Glen Cove, NY; Great Neck, NY; Hempstead, NY; Levittown, NY; Masepequa, NY; Mount Vernon, NY; Pleasantville NY; Port Washington, NY; Roslyn, NY; Staten Island, NY; Mount Royalton, OH; Philadelphia, PA; and Phoenixville, PA.

² Based on prior discussions with Global Capacity, Broadview has been working with customers of the Services in the affected COs and has already transitioned the vast majority of such customers to other services, with the result that only 13 commercial customers remain to be transitioned to alternative service arrangements.

Other than these 13 commercial customers, no other Broadview customer will be impacted by the decision of Broadview's underlying carrier to decommission circuits in the affected COs. Nor will Broadview discontinue any services other than the Services which are presently being provided to these 13 specific commercial customers.

Broadview has advised each of these 13 commercial customers of the planned decommissioning of COs by Broadview's underlying carrier and has tasked a dedicated team of service representatives to work with these customers in order to accomplish a seamless transfer to alternative service arrangements which will avoid any disruption of the Services to these customers. No residential customers will be affected by the proposed service discontinuance. Accordingly, the public convenience and necessity will not be impaired by this service discontinuance.

Brief Description of the Dates and Methods of Notice to All Affected Customers (47 C.F.R. §63.71(b)(3)):

As noted above, only 13 of Broadview's commercial customers utilize the Services in the COs slated for decommissioning by Broadview's underlying service provider; all 19 affected service locations of those 13 commercial customers are located within Massachusetts, New York, Ohio and Pennsylvania. No Broadview residential customer will be impacted by the decommissioning of COs by Broadview's underlying service provider. In accordance with FCC Rules, on March 22, 2016, Broadview sent written notice of the anticipated discontinuance of the Services to all 13 commercial customers; this notice was sent to each customer's regular record address for the delivery of all correspondence, including monthly service bills, via U.S. Mail, postage prepaid. The text of such notices is set forth hereto at Attachment A.

Copies of this Application are being sent, First Class U.S. Mail, to the Public Utility Commissions and the Governors of the affected States and also to the Special Assistant for Telecommunications to the Secretary of Defense, as required by §63.71(a) of the Commission's Rules.

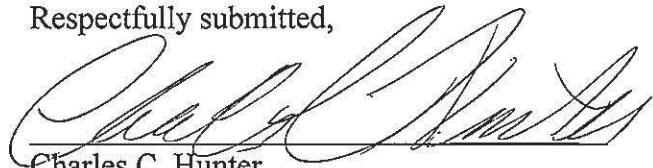
Regulatory Classification of Carrier (47 C.F.R. §63.71(b)(4)):

Broadview is considered non-dominant with respect to the Services to be discontinued. Questions about this Application may be addressed to Catherine M. Hannan, Esq., The Hannan Law Firm, P.C., 14300 Gallant Fox Lane, Suite 103, Bowie, MD 20715, (301) 464-3900, or cmhannan@hannanlawfirm.com.

Conclusion:

The public convenience and necessity will not be adversely affected by the discontinuance of the Services to these 13 commercial customers. Alternative service arrangements for the Services are available to these 13 commercial customers and Broadview will continue to work with these customers to ensure a seamless transition to such alternative service arrangements. Broadview respectfully requests that the Commission approve its Section 63.71 Application.

Respectfully submitted,



Charles C. Hunter
Executive Vice President, Secretary and
General Counsel
Broadview Networks, Inc.
800 Westchester Avenue, Suite N-501
Rye Brook, NY 10573

(914) 922-7589

March 25, 2016

Its Attorney

ATTACHMENT A



March 22, 2016

[Customer Name]

[Service Address]

[Service Address]

Re: Account Number: xxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

Dear Valued Customer,

Broadview Networks has identified that some or all of your services are being impacted by one of our underlying carriers who is decommissioning certain network facilities in your area. We will be in contact with you about the planned transition and appreciate your continued assistance and cooperation as we work to migrate your service(s) to a suitable alternative.

The FCC will normally authorize the proposed discontinuance of service (or reduction or impairment), unless it is shown that a customer is unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity is otherwise adversely affected. If you do wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases the public notice of the proposed discontinuance. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public notice for this proceeding, or you may address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments and a reference to the §63.71 Application of Broadview Networks, Inc. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

On, or after May 22, 2016, subject to approval from the FCC, your existing xxxxxxxxxxxxxx service will be discontinued. To avoid any interruption of service, Broadview will require access to your premises to install the new service and necessary equipment in order to complete the migration for your new service. This may result in a short service interruption while the services are being migrated.

Failure to comply with the migration may result in loss of service as Broadview's underlying carrier begins to decommission and remove their existing facilities. Therefore, it is imperative that we coordinate the required work with you as soon as possible.

A Broadview representative will contact you within the next few days to discuss the details of the project and coordinate a date to migrate your service to the new facilities. You may also contact our Customer Care line directly at **1-800-BROADVIEW** at any time to speak with a Customer Care representative should you have any questions or concerns.

We appreciate your assistance and patience through this transition and look forward to providing you with the best solution possible for your business.

Sincerely,

Broadview Networks

CERTIFICATE OF SERVICE

I, Catherine M. Hannan, certify that I have, on this 25th day of March, 2016, served copies of the foregoing Section 63.71 Application of Broadview Networks, Inc., by U.S.

Mail, postage prepaid, to the following:

Hon. Sara J. Clark, Secretary
Massachusetts Department of
Telecommunications and Cable
1000 Washington Street, Suite 820
Boston, MA 02118-6500

The Honorable Charlie Baker, Governor of Massachusetts
Office of the Governor
Room 360
Boston, MA 02113

Hon. Kathleen H. Burgess
Secretary to the Commission
New York State Public Service Commission
Empire State Plaza
Agency Building 3
Albany, NY 12223-1350

The Honorable Andrew M. Cuomo, Governor of New York State
Office of the Governor
NYS State Capitol Building
Albany, NY 12224

Hon. Barcy McNeal, Secretary
Public Utilities Commission
Of Ohio
180 E. Broad Street
Columbus, OH 43215-3793

The Honorable John Kasich, Governor of Ohio
77 South High Street
30th Floor
Columbus, OH 43215

Hon. Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Keystone Building
Harrisburg, PA 17120

The Honorable Tom Wolf, Governor of Pennsylvania
Office of the Governor
225 Main Capitol
Harrisburg, PA 17120

Secretary of Defense
Attn: Special Assistant for Telecommunications
Pentagon
Washington, D.C. 20301



CATHERINE M. HANNAN